

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ANTHONY E. WHITE,)
)
 Plaintiff) Case No. 5:13-cv-00684-F
)
 v.)
)
 CATERPILLAR LOGISTICS INC.,)
)
 Defendant.)

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Defendant Caterpillar Logistics Inc. (“CLI”), by and through its undersigned attorneys and pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 7.1, hereby submits this Motion for Summary Judgment.

The grounds for this Motion are more fully stated in the Memorandum of Law In Support of Defendant CLI's Motion for Summary Judgment, filed contemporaneously herewith and which is incorporated herein by reference. In support of this Motion, Defendant CLI tenders excerpts of the transcript of Plaintiff's deposition and exhibits thereto, attached to the Memorandum as Exhibit A, and the Declaration of Terrill Merritt and exhibits thereto, attached to the Memorandum as Exhibit B. Because there are no genuine issues of material fact, Defendant CLI respectfully requests that summary judgment pursuant to Rule 56 be granted in its favor.

This 2nd day of September, 2014.

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CERTIFICATE OF SERVICE

I certify that on September 2, 2014, I served a true and correct copy of the attached **DEFENDANT'S MOTION FOR SUMMARY JUDGMENT** via first-class U.S. mail, with adequate postage prepaid, addressed as follows:

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/s/ John I. Mabe
Counsel for Defendant